BOARD OF ADJUSTMENT Zoning Administration Division Development Services Department (DSD) 201 North Stone Avenue, Tucson, Arizona 85701

*** NOTICE OF DECISIONS ***

DATE OF PUBLIC HEARING January 27, 2010

THE DECISIONS OF THE BOARD OF ADJUSTMENT MAY BE APPEALED TO THE SUPERIOR COURT OF PIMA COUNTY BY FILING A COMPLAINT FOR SPECIAL ACTION WITHIN THIRTY (30) DAYS AFTER THE BOARD HAS RENDERED ITS DECISION. ARIZONA REVISED STATUTES SECTION 9-462.06 (J)&(K).

CASE NO.

THE APPLICANT

C10-10-01 LEENHOUTS WHITAKER RESIDENCE NEW CARPORT ADDITION/J. LEENHOUTS, 2709 NORTH GILL AVENUE, R-1

The applicants' property is a 10,785 square foot lot developed with a single-family residence and carport and is zoned "R-1", Residential. The applicants propose enclosure of the existing carport for additional living space and construction of a new carport in front of the existing carport. Tucson *Land Use Code (LUC)* Sections applicable to this project include, but are not limited to, Section 2.3.4 which provides the criteria for development in the R-1 zone, and Sections 3.2.3, 3.2.5 and 3.2.6 which provide the development criteria for all principal and accessory structures. The applicants are requesting the following variances: 1) Reduce the front street setback of the carport from 20 feet to 12.67 feet; and, 2) Reduce the length of the driveway from 18 feet to 12.67 feet, as shown on the submitted plans

<u>DECISION</u>: VARIANCES 1 AND 2 GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

- A. Carport is not to be enclosed.
- B. No parking between the carport and the front street lot line.

By LUC regulation, a building permit or development approval based upon a Board of Adjustment decision cannot be issued, until a minimum of fourteen (14) days after the Board's decision date.

IMPORTANT NOTICE

FOR VARIANCES OR DESIGN DEVELOPMENT OPTIONS (DDO) GRANTED BY THE ACTIONS OF THIS BOARD: IF A BUILDING PERMIT IS REQUIRED FOR THE PROJECT ASSOCIATED WITH THE VARIANCE OR DDO, IT MUST BE SECURED FROM THE DEVELOPMENT SERVICES DEPARTMENT (DSD) WITHIN 180 DAYS OF THE HEARING DATE.

VARIANCE AND DDO APPROVALS EXPIRE WITHIN 180 CALENDAR DAYS FROM THE DATE OF THIS MEETING. TWO ADDITIONAL (180 DAY) EXTENSIONS MAY

BE GRANTED PROVIDED THERE IS GOOD CAUSE AND THE REQUEST IS MADE IN WRITING.

<u>UNLESS OTHERWISE NOTED</u>, BOARD OF ADJUSTMENT DECISIONS BECOME EFFECTUATED UPON OBTAINING BUILDING PERMITS (IF REQUIRED) AND FULL COMPLIANCE WITH ALL CONDITIONS OF THE BOARD'S DECISION.

THE 180 DAY TIME FRAME TO OBTAIN A BUILDING PERMIT DOES NOT APPLY WHEN THERE IS AN OUTSTANDING ZONING VIOLATION THAT PRECIPITATED THE VARIANCE OR DDO REQUEST FOR THE PROPERTY. THE APPLICANT OR PROPERTY OWNER MUST CONTACT THE DEPARTMENT OF NEIGHBORHOOD RESOURCES FOR THE DATE THE ZONING VIOLATION MUST BE ABATED.

If you want further information, please call Russlyn Wells at 837-4948 or Wayne Bogdan at 837-4946.

Sue Montes, Secretary Board of Adjustment

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